

(start tape #11)

And he was going to talk to Senator Chambers about it, I don't know if he has got around that far or not, I think that I was first, but at no time did I ask the Attorney General about filing a law suit, because this body instructed to me not that, they instructed to me not that, they instructed me as Chairman of the Constitutional Revision to find out what we could do to fix this thing up, so I did not go into the lawsuit issue other than the fact than the Attorney General, and this is all verbal, I did not ask for a written opinion, other than the fact that the Attorney General told me that the way without statutory, this thing could be, this constitutional amendment that we are dealing with running together to the Lt. Governor and Governor, without statutory help could be unconstitutional, now I didn't go any further than that because that is exactly what this body told me to find out one of the questions and not whether the Attorney General would file a lawsuit or not, so I didn't ask him that.

PRESIDENT: Senator Fellman, does that answer your question? Would you turn your light off please? I will move on to the general file debate of LB375, the interim study committee bill on appropriations. Senator Whitney, does the Chair understand that you have a motion on the desk.

CLERK: Mr. President, there is a motion to bracket LB375, signed Senator Whitney.

PRESIDENT: Motion is to bracket LB375, are there objections to bracketing the bill? Hearing none, it is so ordered. Earlier Senator DeCamp had asked to be excused, are there objections to his absence? Hearing none, so ordered, the Senator is excused. That brings up LB327, Senator Waldron do you have a preference on this bill?

SENATOR WALDRON: Mr. President, I would like to bracket that bill until January 23, and I am prepared to take up my 508, which is the next bill though.

PRESIDENT: Alright, Senator Waldron is asking unanimous consent to bracket LB327 until what was the date again, Senator, January?

SENATOR WALDRON: 23rd.

PRESIDENT: 23rd, thank you. Are there objections? Hearing none, it is so ordered, the bill is bracketed then, we will move to the general file consideration of LB508. Has the title been read?

CLERK: (read bill)

SENATOR WALDRON: Mr. President, I move the adoption of the committee amendments. Mr. President and members of the Legislature, the committee amendment would put the word only in there and so I can explain the committee amendment and the bill at one time, I would just say that once we put the only in there it will read the comprehensive development plan of any city shall be used only as a guide by the planning commission and in the principal legislative body or the city council in all matters regarding to this. What this bill does is allow the comprehensive plan which each city must have to be used as a guide in regard to zoning procedures of the planning commission and the city council. What it does, it gives more latitude in regard to zoning to the city council and to their planning commission. It was requested by the city and the specific city was North Platte and then they felt that they needed this extra leeway, the main reason is that a year or two ago, a couple of years ago, I think there was a district court decision that tried to say that once you developed a comprehensive plan, you could not vary from

-1152